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**TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES**

**Notice of Public Hearing**  
LSA Document #17-342

**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on February 1, 2018, at 10:00 a.m., at the Indiana Government Center South, 402 West Washington Street, Conference Center Room D, Indianapolis, Indiana, the Office of the Secretary of Family and Social Services – Division of Office of Medicaid Policy and Planning will hold a public hearing on a proposed rule amending [405 IAC 1-4.2](#) and [405 IAC 5-16](#) to amend rules applying to home health services.

This rule will amend [405 IAC 1-4.2-2](#) to clarify policy language regarding a member's place of residence and to clarify that home health services cannot be limited to services furnished to members who are homebound. It will also amend [405 IAC 5-16-2](#) to add the requirement for documentation of a face-to-face encounter for home health services in accordance with 42 CFR 440.70(f) and amend [405 IAC 5-16-3](#) to add the requirement for therapy services to be ordered in writing in accordance with [405 IAC 5-22-6\(b\)\(1\)](#). Finally, the proposed rule will amend [405 IAC 5-16-3.1](#) to add that home health services are reimbursable only if the treating physician certifying the need for home health services documents that a face-to-face encounter with the individual occurred.

Pursuant to [IC 4-22-2-24\(d\)\(3\)](#), the Indiana Family and Social Services Administration (FSSA) – Office of Medicaid Policy and Planning (OMPP) has determined that changes to the current rules are necessary to comply with federal regulations promulgated by the Centers for Medicare and Medicaid Services.

All parties interested in the proposed rule are invited to attend the public hearing and to offer public comments. In lieu of attendance at the public hearing, written comments may be sent to: FSSA, Attention: Jeremy Hoffman c/o Michael Cook, 402 W. Washington St., Room W451, Indianapolis, IN 46204. Correspondence should be identified in the following manner: "COMMENT RE: LSA Document #17-342, Home Health proposed rule." All written comments concerning the rule received by the FSSA – OMPP will be available for public inspection at FSSA's Office of General Counsel, Indiana Government Center South, 402 West Washington Street, Room W451, Indianapolis, Indiana.

Pursuant to [IC 4-22-2-24\(d\)](#), copies of the proposed rule and any data, studies, or analyses referenced in a justification of requirement or costs on regulated entities are available to be inspected and copied on the FSSA website at:

<http://www.in.gov/fssa/4543.htm>

Copies of these rules are now on file at the Indiana Government Center South, 402 West Washington Street, Room W451 and Legislative Services Agency, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection and copying.

Jennifer Walthall, M.D., M.P.H.  
Secretary  
Indiana Family and Social Services Administration

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